

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 25 2005

Applicant(s): Haixiang Liang et al.

Title: APPARATUS, METHOD AND SOFTWARE FOR CALL-WAITING  
TONE DETECTION

Application No.: 10/795,920

Filed: March 8, 2004

Examiner: Stella L. Woo

Group Art Unit: 2643

Atty. Docket No.: 1005-0004-3

January 25, 2005

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT (37 C.F.R. § 1.321(c))**

Dear Sir or Madam:

Assignee of the entire interest in the above-identified application,

AltoCom, Inc.  
16215 Alton Parkway  
Irvine, CA 92618,

hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156, 173, of prior U.S. Patent No. 6,496,572 (the "Prior Patent"), as presently shortened by any terminal disclaimer therein. Assignee hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the Prior Patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156, 173, of the Prior Patent, as presently

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shortened by any terminal disclaimer, in the event that the Prior Patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

**EVIDENCE OF OWNERSHIP UNDER 37 CFR § 3.73(b)**

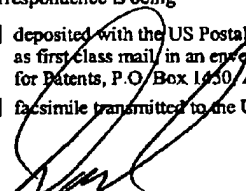
The undersigned (who is authorized to provide evidence of ownership on behalf of Assignee) submits the following evidence that Assignee is the owner of the entire right, title and interest in the above-identified application.

The present application (Application No. 10/795,920) is a continuation of Application No. 10/320,087, which was itself a continuation of 10/029,017, which was itself a continuation of 09/084,674. An assignment from the inventors of 09/084,674 to AltoCom, Inc. was recorded in the U.S. Patent and Trademark Office at Reel/Frame 9212/0760.

**TERMINAL DISCLAIMER FEE**

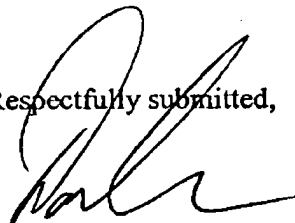
The Terminal Disclaimer Fee under 37 CFR § 1.20(d) is included as set forth in the attached transmittal.

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<u>CERTIFICATE OF MAILING OR TRANSMISSION</u>	
I hereby certify that, on the date shown below, this correspondence is being	
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<input checked="" type="checkbox"/>	facsimile transmitted to the US Patent and Trademark Office.
 David W. O'Brien	<u>25-Jan-05</u> Date

EXPRESS MAIL LABEL: \_\_\_\_\_

Respectfully submitted,



David W. O'Brien, Reg. No. 40,107  
Attorney for Applicant(s)  
(512) 338-6314  
(512) 338-6301 (fax)